



CITY OF **UPLAND**  
"The City of Gracious Living"

MEETING OF THE CITY COUNCIL

*Agenda*

Bill Velto, Mayor

Carlos A. Garcia, Mayor Pro Tem - District 3

James Breitling, Councilmember - District 2

Shannan Maust, Councilmember - District 1

Rudy Zuniga, Councilmember - District 4

Michael Blay, City Manager

Stephen P. Deitsch, City Attorney

Keri Johnson, City Clerk

Monday, December 11, 2023

Open session begins at 7:00 p.m.

Council Chamber

JOINT MEETING OF THE UPLAND CITY COUNCIL, CITY OF UPLAND FINANCING AUTHORITY, AND THE  
CITY OF UPLAND PARKING AUTHORITY

City Hall, 460 N Euclid Avenue

Residents may observe the City Council meetings remotely via [livestream](#) on the City website, Spectrum Cable TV Channel 3, or Frontier Cable TV Channel 26.

1. CALL TO ORDER AND ROLL CALL
2. ADDITIONS-DELETIONS TO AGENDA
3. ORAL COMMUNICATIONS

This is a time for any citizen to comment on item listed on the closed session agenda only. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than three (3) minutes. The use of visual aids will be included in the time limit.

**CLOSED SESSION BEGINS AT 6:00 p.m.**

4. CLOSED SESSION
  - a. CLOSED SESSION PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section 54957

Title: City Manager

- b. CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS

Government Code Section 54957.6

City Designated Representatives: Mayor Bill Velto and City Attorney Stephen Deitsch (or designee)

Unrepresented Employee: City Manager

5. INVOCATION

Rehana Mowjood, Middle Ground Muslim Center

6. **PLEDGE OF ALLEGIANCE**

7. **PRESENTATIONS**

Proclamation recognizing Police Officer Joe Gutierrez upon his retirement from the City with 32 years of service

Proclamation recognizing Budget Specialist Sue Gutierrez upon her retirement from the City with 23 years of service

8. **CITY ATTORNEY**

9. **ORAL COMMUNICATIONS**

This is a time for any citizen to comment on any item listed or not listed on the agenda. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than three (3) minutes. Speakers will be given five (5) minutes during public hearings. The use of visual aids will be included in the time limit. Public comments and questions for the purpose of hearing current matters of concern in our community and to provide citizens a method for the public to hear those concerns in an open venue is encouraged. However, under the provisions of the Brown Act, the City Council is prohibited from discussion of items not listed on the agenda, and therefore, the City Council, City Manager, or City Attorney will take communications under advisement for consideration and appropriate response or discussion at a later time.

Individuals who demonstrate disruptive conduct during City Council meetings that prevent the City Council from conducting its meeting in an orderly manner are guilty of a misdemeanor as stated in PC403, disrupting a public meeting, and are subject to removal from the chamber or arrest.

10. **CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered to be routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the legislative body request specific items be removed from the Consent Calendar for separate action.

**Recommended Action:**

Approve the Consent Calendar

a. **APPROVAL OF MINUTES**

**Recommended Action:**

Approve the Regular Meeting Minutes of November 27, 2023. (Staff Person: Keri Johnson)

b. **ACCEPT AND FILE SCHEDULED VACANCIES FOR COMMISSIONS, COMMITTEES, AND BOARDS FOR CALENDAR YEAR 2024**

**CEQA:** Not a Project.

**Recommended Action:**

Accept and file the Local Appointments List for all City commissions, committees, and boards for calendar year 2024, and direct the City Clerk to post the list. (Staff Person: Keri Johnson)

c. **RATIFY THE APPOINTMENT OF MAYOR PRO TEM**

**CEQA:** Not a Project.

**Recommended Action:**

Ratify the appointment of Councilmember Breitling as Mayor Pro Tem, term to expire in December 2024. (Staff Person: Keri Johnson)

d. CONSIDER APPOINTMENT TO THE PERSONNEL BOARD OF REVIEW

**CEQA:** Not a Project.

**Recommended Action:**

Ratify the Employee Associations' appointment of Deborah Caruso to the Personnel Board of Review, term to expire June 30, 2027. (Staff Person: Keri Johnson)

e. CITY OF UPLAND PARKING AUTHORITY 2023 ANNUAL REPORT

**CEQA:** Not a Project

**Recommended Action:**

City of Upland Parking Authority Board of Directors receive and file the annual report of the 2023 activities of the Parking Authority. (Staff Person: Stephen Parker)

f. CITY OF UPLAND FINANCING AUTHORITY 2023 ANNUAL REPORT

**CEQA:** Not a Project

**Recommended Action:**

City of Upland Financing Authority Board of Directors receive and file the annual report for the 2023 activities of the Financing Authority. (Staff Person: Stephen Parker)

g. APPROVAL OF NOVEMBER WARRANT AND PAYROLL REGISTERS

**CEQA:** Not a Project.

**Recommended Action:**

Approve the November warrant registers (check numbers 45630-46101 and direct disbursements totaling \$10,606,818.08 and payroll registers totaling \$2,809,185.61 (check numbers 163526-163582 and electronic fund transfers 43843-44683). (Staff Person: Stephen Parker)

h. CONSIDER APPROVAL OF 2023 MILLS ACT CONTRACTS FOR TWO HISTORIC PROPERTIES, LOCATED AT 1010 N. EUCLID AND 806 N. EUCLID

**CEQA:** Determined to be Exempt pursuant to Section 15061(b)(3).

**Recommended Action:**

Approve the Mills Act contracts for two (2) historic properties and authorize the City Manager to execute the documents. (Staff Person: Robert Dalquest)

i. CONSIDER ADOPTING A RESOLUTION EXTENDING THE DEADLINE TO ESTABLISH AN ONLINE PERMITTING SYSTEM FOR POST-ENTITLEMENT PHASE PERMITS PURSUANT TO AB 2234

**CEQA:** Exempt pursuant to Sections 15060(c)(2) and 15060(c)(3).

**Recommended Action:**

Adopt a Resolution extending the deadline to establish an online permitting system for post-entitlement phase permits under California Government Code Section 65913.3.5 (AB 2234). (Staff Person: Robert Dalquest)

j. CONSIDER A RESOLUTION DECLARING A 1,669 SQUARE FOOT REAL PROPERTY

OWNED BY THE CITY WITH APN: 0207-462-02, IS EXEMPT SURPLUS LAND AND EXEMPT FROM CEQA

**CEQA:** Determine to be Exempt.

**Recommended Action:**

Approve a Resolution pursuant to Government Code Section 54221 declaring that real property owned by the City, commonly known as a 1,669 square foot property with Assessor's Parcel Number 0207-462-02 as exempt surplus land to be sold to the owner of contiguous land at 8148 Red Hill Country Club Drive, Rancho Cucamonga, CA 91730; and finding that the foregoing actions are exempt from environmental review under the California Environmental Quality Act. (Staff Person: Robert Dalquest)

- k. CONSIDER APPROVAL OF PARCEL MAP 20269 AND SUBDIVISION AGREEMENT, LOCATED AT 1382 E. FOOTHILL BLVD

**CEQA:** This project is categorically exempt from the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15315.

**Recommended Action:**

Approve Parcel Map 20269 for recordation and authorize the City Manager to sign the subdivision agreement. (Staff Person: Braden Yu)

- l. UNDERGROUNDING IN LIEU FEE REQUEST FOR TRACT MAP 20519

**CEQA:** Not a project

**Recommended Action:**

Adopt a Resolution approving a cash in lieu fee for undergrounding in satisfaction of Condition 30.22 of Tentative Tract Map No. 20519 and Development Plan Review No. DPR-21-09 for the Development of 64 Single-Family Condominium Residential Units located at 1400 E. Arrow Highway (APN: 1046-481-14). (Staff Person: Braden Yu)

- m. CONSIDER APPOINTMENT TO THE CHINO BASIN WATERMASTER BOARD

**CEQA:** Not a Project.

**Recommended Action:**

Appoint Bill Velto as the City of Upland representative to the Chino Basin Watermaster Board for a two-year term and Kati Parker as his alternate. (Staff Person: Braden Yu)

## 11. PUBLIC HEARINGS

- a. SUBSTANTIAL AMENDMENT TO PROGRAM YEARS 2021-22 AND 2023-24 HUD ANNUAL ACTION PLANS

**CEQA:** Exempt pursuant to Sections 15060(c)(2) and 15060(c)(3).

**Recommended Action:**

The City Council will conduct a public hearing to obtain citizen comments on the proposed substantial amendment to Program Years 2021-22 and 2023-24 Action Plans and consider adopting a Resolution approving the substantial amendment. (Staff Person: Robert Dalquest)

1. Staff Presentation
2. Hold Public Hearing
3. Close Public Hearing

4. Adopt a Resolution approving the substantial amendment to Program Years 2021-2022 and 2023-2024 to the City's U.S. Department of Housing and Urban Development (HUD) Annual Action Plans and direct staff to transmit all documents and amendments related to the Annual Action Plans to HUD within 30 days of execution.
- b. CONSIDER A RESOLUTION APPROVING THE SALE OF CERTAIN CITY-OWNED REAL PROPERTY (APN: 1046-433-25) LOCATED 155 FEET WEST OF WASHINGTON BLVD AND SIXTH AVE

**CEQA:** Determine to be Exempt.

**Recommended Action:**

The City Council will conduct a public hearing to consider approval of a purchase and sale agreement for the sale of City-owned surplus land located 155 feet west of Washington Boulevard and Sixth Avenue. (Staff Person: Robert Dalquest)

1. Staff Presentation
2. Hold Public Hearing
3. Close Public Hearing
4. Adopt of a Resolution approving the Purchase and Sale Agreement and Joint Escrow Instructions for the sale of City-owned surplus land to Crestwood Corporation, for the development of seven (7) single family residential townhome units, and finding the same categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15312, 15206(b)(4), 15060(c)(2), and 15378(b).

## 12. COUNCIL COMMITTEE REPORTS

- a. COUNCIL REPORTS ON REGIONAL COMMITTEE MEETING, TRAINING, OR CONFERENCE ATTENDANCE

Councilmembers will provide oral reports on any meetings, trainings, or conferences they attended on behalf of the City. This item is for information only.

- b. ECONOMIC DEVELOPMENT COMMITTEE MEETING, DECEMBER 4, 2023

The Committee Chairperson will report on the meeting. This is an information item only.

## 13. BUSINESS ITEMS

- a. CONSIDER AN AWARD OF BID FOR PROJECT NO. 16163, MEMORIAL PARK PAVEMENT REHABILITATION (BID NO. 2023-11)

**CEQA:** Categorically exempt from further environmental review pursuant to Section 15301(c).

**Recommended Action:**

Approve the Plans and Specifications for Project No. 16163, Memorial Park Pavement Rehabilitation; waive minor bid irregularities; award the construction contract to Onyx Paving Company, Inc. in the amount of \$964,060 (Base bid amount plus additive bid items #22 and #23); approve a construction contingency in the amount of \$185,940, for a total amount of \$1,150,000; and authorize the City Manager to execute any extensions, and any future amendments within the City Manager's authority. (Staff Person: Braden Yu)

## 14. COUNCIL COMMUNICATIONS

**15. CITY MANAGER**

**16. ADJOURNMENT**

The next regularly scheduled City Council meeting is Monday, January 8, 2024.

NOTE: If you challenge the public hearing(s) or the related environmental determinations in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Upland, at, or prior to, the public hearing.

All Agenda items and back-up materials are available for public review at the Upland Public Library, downstairs reference desk at 450 North Euclid Avenue, the City Clerk's Office at 460 North Euclid Avenue and the City website at [www.uplandca.gov](http://www.uplandca.gov).

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office, 909-931-4120. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

On December 6, 2023 a true and correct copy of this agenda was posted on the bulletin boards at 450 N. Euclid Avenue (Upland Public Library) and 460 N. Euclid Avenue (Upland City Hall) and the City website at [www.uplandca.gov](http://www.uplandca.gov)